

17364 U.S. PTO  
012104

PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	HORA. P0102US
First Inventor	Dieter Grob
Title	Cervical Facet .....
Express Mail Label No.	CV337313393US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 22]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Sheets 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Reader Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number:  OR ☒ Correspondence address below

Name	Mark C. Johnson		
Address	Renner, Otto, Boisselle & Sklar, LLP		
	1621 Euclid Avenue, Nineteenth Floor		
City	Cleveland	State	Ohio
Country	U.S.	Zip Code	44115-2191
	Telephone	(216) 621-1113	Fax (216) 621-6165

Name (Print/Type)	Mark C. Johnson	Registration No. (Attorney/Agent)	51,854
Signature		Date	January 21, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 538.00

## Complete if Known

Application Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Dieter Grob
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	HORA.P0102US

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 18-0988  
Deposit Account Name: Renner, Otto, Boisselle & Sklar, LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 385.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
37	-20** = 17	X 9 =	153
Independent Claims	3	-3** = 0	X 0 = 0
Multiple Dependent			

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	0
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	0
1053 130	1053 130	Non-English specification	0
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	0
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	0
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	0
1251 110	2251 55	Extension for reply within first month	0
1252 420	2252 210	Extension for reply within second month	0
1253 950	2253 475	Extension for reply within third month	0
1254 1,480	2254 740	Extension for reply within fourth month	0
1255 2,010	2255 1,005	Extension for reply within fifth month	0
1401 330	2401 165	Notice of Appeal	0
1402 330	2402 165	Filing a brief in support of an appeal	0
1403 290	2403 145	Request for oral hearing	0
1451 1,510	1451 1,510	Petition to institute a public use proceeding	0
1452 110	2452 55	Petition to revive - unavoidable	0
1453 1,330	2453 665	Petition to revive - unintentional	0
1501 1,330	2501 655	Utility issue fee (or reissue)	0
1502 480	2502 240	Design issue fee	0
1503 640	2503 320	Plant issue fee	0
1460 130	1460 130	Petitions to the Commissioner	0
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	0
1806 180	1806 180	Submission of Information Disclosure Stmt	0
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	0
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	0
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	0
1801 770	2801 385	Request for Continued Examination (RCE)	0
1802 900	1802 900	Request for expedited examination of a design application	0
Other fee (specify)			0
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 0.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Mark C. Johnson	Registration No. (Attorney/Agent)	51,854	Telephone	(216) 621-1113
Signature		Date	January 21, 2004		

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ATTORNEY DOCKET NO.: HORA.P0102US

TITLE: CERVICAL FACET RESURFACING IMPLANT

EXPRESS MAIL Mailing Label No.: EV 337313393 US

Date of Deposit: January 21, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David Friedman

(Typed or printed name of Sender)



(Signature)

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